

## REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

August 2, 2004

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, August 2, 2004, at 9:00 a.m., in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36193-010603 adopted by Council on January 6, 2003, which changed the time of commencement of the regular meeting of Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m., and pursuant to Resolution No 36762-070604 adopted by Council on Tuesday, July 6, 2004, which established the meeting schedule for the fiscal year commencing July 1, 2004 and ending June 30, 2005.

PRESENT: Council Members Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., and Mayor C. Nelson Harris-----7.

ABSENT: NONE-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950) as amended, was before the body.

Mr. Cutler moved that Council concur in the request to convene in Closed Meeting as above described. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

CITY COUNCIL: A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel regarding pending litigation where such consultation in open session would adversely affect the City's negotiating or litigating posture, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris:-----7.

NAYS: None-----0.

ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION; AND ADDITIONS/DELETIONS TO THE 2:00 P.M. DOCKET.

POLICE DEPARTMENT: The City Manager introduced a briefing by Police Chief Joseph Gaskins, Sgt. C. L. Davis and Lt. G. W Staples, with regard to a proposed Geographic Policing.

Lt. Staples advised that:

A committee was appointed for the purpose of developing a Geographic Policing proposal, in accordance with Command Staff request; and on January 7, 2004, certain police officers were assigned the responsibility of developing a proposal for creating and implementing a new system that would increase accountability in terms of community policing.

Approximately five years ago, the Police Department made a philosophical and operational shift toward adopting community policing strategies and ideals, and the changes resulted in:

- implementation of standardized community policing training for all officers
- increased exposure of the Police Department's C.O.P.E. Unit
- purchase of computerized mapping software
- a full-time civilian crime analyst, and
- establishment and fortification of community and neighborhood watch groups.

The final piece of the transformation involves the Patrol Bureau function to increase accountability at the lieutenant's level and below, while maintaining the high level of accountability above the rank of lieutenant, and to ensure that all of the other changes that have been established will continue to thrive and be successful.

In order to increase accountability, it became necessary to establish clear zones of the City for which lieutenants would need to be responsible for and supervise.

The first step the Committee took was to create the actual physical zones for the new system of patrol and four zones were identified which took into account the City's natural physical boundaries such as the railroad tracks and the I-581/Route 220 corridor; the Committee then made minor changes to the current patrol district map so that police districts did not cross the new zone boundaries, and the newly established zones also serve to more evenly distribute citizen requests for police service.

The four zones closely parallel the current method of patrol operations; in order to determine if a completely different alternative would work better, the Committee considered many different methods of dividing the City and concluded that the proposed proposal is the best option.

Reconfigured zones:

- decrease police response time
- ensure a team policing approach where individual officers will come together to collectively address crime problems
- improve delivery of services to the citizens of the City of Roanoke
- increase accountability and responsiveness
- aid the Police Department in meeting management goals and objectives.

Throughout the study and consideration of the following proposal, the Committee was active in speaking out and seeking input from various members of the Police Department, on both an informal and formal basis.

Formal discussions with Sergeants and above have been held on several occasions; more informal discussions have been held with line officers; suggestions made by the Committee were assigned to lieutenants for further examination; during the examination process, the lieutenants sought and received suggestions from rank and file members; and once the final proposal has been approved, the Department will have formal opportunities for members to come forward and share their input.

The proposal includes:

Recommendations in the proposal were based on the understanding that the Police Department is currently authorized to have 247 sworn positions; and the Department is authorized to have 32 sergeant positions and 11 lieutenant positions.

The proposal addresses the following issues:

1. Reorganization of current police districts to ensure zone equity in terms of more balanced call loads.
2. Reorganization of the Patrol Bureau  
Defining the roles of special units assigned within the Patrol Bureau  
Patrol Administration Lieutenant  
Administrative Sergeant
3. Defining responsibilities under the zone system  
Lieutenant's responsibilities  
Sergeant's responsibilities  
Increased accountability for zone assignments  
Zone Community Resource Officer  
SRO Unit
4. Establishment of a Uniform Support Unit  
K-9 Officers  
Power Shift  
Street Crimes Unit

5. Creation of a Downtown Unit
  - Mounted Patrol
  - Bike Units/Beat Units
  - Parking Enforcement
6. General staffing concerns
  - Recruit assignments
  - Temporary assignments
7. Personnel scheduling
8. Manpower allotment
9. Dispatch
10. Implementation

#### Reorganization of the Patrol Bureau:

##### Patrol Administration

- Will consist of a Patrol Administrative Lieutenant who is directly supervised by the Patrol Captain and an Administrative Sergeant that is directly supervised by the Patrol Administrative Lieutenant.
- Administrative Lieutenant will work at the discretion of the Captain and will have the following supervisory responsibilities:
  - Field Training Officer (FTO) coordination
  - Temporary replacement for Zone Lieutenant
  - Monitor communications between Zone Lieutenants
  - Evaluate and report daily operations to the Captain
  - Supervise Animal Control Unit
- Animal Control will not be assigned to specific zones due to the lack of manpower. In order to staff the zones with one Animal Control Officer per zone, a significant increase in manpower would be required. An increase in manpower would obviously improve services City wide, however, the current staffing level is sufficient to operate within this system.
- Animal Control Officers will be given in-car computers in order to help better communicate and to be aware of what is going on in the City.
- Resolve conflicts and/or staffing issues with the Zone Lieutenants
- Administrative Sergeant will work at the discretion of the Administrative Lieutenant and will have the following responsibilities:

Supervise Hit and Run Investigator and Traffic Safety Officer

Quartermaster duties

- Temporary replacement for Zone Sergeant
- Responsibilities in a Zone System:

Zone Lieutenant Responsibilities:

Lieutenants will be responsible for an area of the City designated as a zone and will not be responsible for a time period; accountability for any and all occurrences within the boundaries of the Zone will become the responsibility of the lieutenants.

A change in mind set will be necessary – no longer in charge of a time period, now in charge of a zone.

Ensure regular attendance and participation at community meetings.

Completion of performance evaluations for Zone Sergeants and Officers.

Assignment and clearance of follow up investigations, personal knowledge of all follow up investigations will enhance the Lieutenant's general knowledge of zone issues, which task should not be delegated to a Sergeant

Follow up investigations will be assigned to officers working 8:00 a.m. – 8:00 p.m.

Investigation of citizen complaints and officers misconduct

Manage and supervise problem solving projects and the regular use of crime analysis information

Maintain call out availability in the event of major/serious crimes

Ensure routine contact with all staff of zone

Act as a representative for the officers assigned to the zone in patrol staff meetings

Scheduling officers during time period.

Zone Sergeant Responsibilities:

Each patrol shift will require four sergeants.

Sergeants will be responsible for daily operations of the platoon, including:

Line-up training

Approval of reports

Approval should be done by the Sergeants on the shift of the officer who wrote the report; it is preferred that the Zone Sergeant approves reports coming from higher assigned zone.

Monitor activities in his/her assigned zone  
Forwarding incident reports to Zone Lieutenants and Command Staff

Zone Community Resource Officer:

Each zone will have one community resource officer assigned directly to the Lieutenant; they will have a flexible schedule to meet the needs of the community in conjunction with the Zone Lieutenant.

Will not be assigned to a patrol shift

Coordinate all community policing objectives and assist the platoons in achieving objectives

The Zone Community Resource Officer should not be the only person on the shifts conducting problem-solving projects; this position is designed to assist in coordinating and executing the various projects underway in a particular zone.

School Resource Officers (SRO):

SRO officers would be directly supervised by the Zone Lieutenant in which the school they work lies (officers working at schools in zone four would report to the Zone 4 Lieutenant)

### Uniform Support Unit:

The function of this unit is to support basic patrol functions.

Will be commanded by a lieutenant and two sergeants

The Uniform Support Unit is comprised of 24 positions, not including the lieutenant; supervisory responsibilities due to the number of positions make it comparable to all other operations division lieutenants; the unit involves a variety of smaller units and a lieutenant is needed to facilitate scheduling, as well as to coordinate activities in support of patrol functions and other department needs.

Crime Prevention, K-9 officers, Warrant Service officers, and Power Shift will be supervised by one Sergeant.

#### K-9 Unit:

Should be placed in Uniform Support Unit to allow a more flexible schedule to provide maximum coverage (i.e.: during shift change and using K-9s City wide)

Removing K-9 from the shift will allow them the flexibility to stay in service during shift change

K-9 maintenance can be conducted during non-peak hours (i.e.: after shift change)

Placing K-9 and Power Shift under one supervisor will allow the supervisor to compensate for training days and community events that cause gaps in assignments

Crime Prevention should remain an individual unit due to associated demands and communication requirements.

The Homeland Defense Officer will be moved to the Academy and will become part of the Academy's training function.



Power Shift – four to six officers:

The purpose is to alleviate call loads so that duty units can conduct follow ups, attend community meetings during shift change, and provide coverage during shift change.

Four to six officers will be supplemented by K-9 officers, but K-9 officers will remain a separate unit; they should not be considered full time members of the Power shift.

Power Shift officers will be on one year temporary assignments and should be removed from the zone system (i.e. Power Shift will not be staffed by zone officers).

Power Shift schedule will cover seven days a week with a focus on the evening shift changeover; the Power Shift supervisor will work with Crime Analysis to ensure that officers are working at times when they are most needed, based on citizen requests for police services

More formalized Power Shift coverage at shift change will reduce overtime expenditures and increase morale

Power Shift officers will have the opportunity to work within the Community Policing Specialist program and will attend meetings and fulfill Community Policing obligations, as necessary to maintain their certification

A seven day rotation for Power Shift should not be considered if staffing for the unit is less than five officers.

Street Crimes Unit:

Will be supervised by one Sergeant and will continue to exist as it does in its current state.

### Downtown Unit:

The purpose of creation of the Downtown Unit is to maximize coverage and organize various assignments under one command; currently, at any given time, there are four different supervisors responsible for personnel in the Downtown area.

The Downtown Unit will be supervised by a Downtown Sergeant

The Downtown Sergeant will be supervised by the Zone 1 Lieutenant

The unit will be comprised of:

- Three bike units (B-1, B-2 and B-3)

- Four mounted patrol units

- Three parking enforcement officers

The Sergeant can utilize the personnel to provide maximum coverage of the Downtown area.

Downtown Sergeant will be responsible for the coordination of all special events related to downtown and it is also recommended that the Downtown Sergeant coordinate special events related to the Civic Center.

Downtown Sergeant will be responsible for coordinating with other shifts to provide coverage during evening and over night hours.

Four mounted patrol officers allow for more continuous coverage during day and evening hours; and these officers can serve as mounted patrol officers, as well as on foot and as beat officers in cars to supplement the beat assignment.

Mounted Patrol should be part of the Downtown Unit because that is where they will spend most of their time.

## General Staffing Concerns:

### Recruits:

The purpose of changing the process by which recruits are assigned to shifts is to ensure that all members of the Department have an interest in the development of the recruit; the committee was concerned that if a recruit were immediately assigned to a specific zone only those officers assigned to that same zone would take an interest in the recruit; and this system eliminates that concern.

Upon graduation, recruits will be assigned to the Patrol Administrative Lieutenant who is in charge of FTO coordination.

The Patrol Administrative Lieutenant will assign them temporarily to a patrol shift (night shift or day shift) for training.

Upon completion of the training process, recruits will be assigned to zones based on need.

Recruits should be acclimated to all zones of the City during training.

**ADVANTAGE:** Under this system, there will be no need to change the Recruit Training policies and procedures.

The Administrative Supervisors (Patrol Administrative Lieutenant and Administrative Sergeant) will take an active role in FTO coordination and training.

### Temporary Assignments:

The purpose of amending the current process for temporary assignments is to ensure more adequate staffing levels for patrol.

As has been common practice, all temporary assignments should be approximately 12 months in duration.

Those who are assigned temporarily should be removed from patrol rosters to show adequate staffing

All persons reassigned after a temporary assignment should be placed based on need.

#### Personnel Scheduling:

Scheduling the time period will be the responsibility of Zone Lieutenants; each Lieutenant will be responsible for the scheduling of officers in their respective zones during working time periods.

Officers will continue to work 12 hour shifts that change at 0700, 0800, 0900 and 2000 hours; officers will be assigned to a "time period", i.e. ALPHA, BRAVO, CHARLIE < DELTA, but lieutenants will not represent a specific time period; lieutenants will represent a zone during each time period with the assumption that Zone Lieutenants or designated representatives are required to attend Patrol Staff and Command Staff meetings every other Monday of the month. It is suggested, in order to facilitate scheduling, that lieutenants will meet on this day and develop an advanced two week schedule for each time period; lieutenants will have the opportunity to discuss vacations, required or requested training, and extended sick leave on all time periods; all advanced NLAs will be available to the Zone Lieutenants during this meeting so they can determine the number of officers that will be absent from the time period on any given day; they can work together to determine how many officers can be allowed off during each time period and training requests could be brought to the meeting so that the impact of training on daily manpower can be discussed and managed accordingly.

When lieutenants complete the schedule, it will be forwarded to the time period supervisors (Sergeants); the sergeants can approve days off for officers on an "immediate-need basis" during the two week period; this would cover and allow for officers who desire a day off for whatever reason; this will also allow Zone Sergeants the opportunity to keep staffing levels appropriate for the shifts and still have the availability of a supervisor to approve immediate requests for leave.

### Manpower Allotment:

Under the plan, the following allotments are made:

- Zone 1 – six officers per shift
- Zone 2 – five officers per shift
- Zone 3 – seven offices per shift
- Zone 4 – seven officers per shift

The proposal creates a more equitable distribution of citizen calls for service over the current operation methodology; in 2003, Zone 4 had the most calls for service, however, this distribution of calls fluctuates from year to year and the proposal allows for flexibility in terms of manpower allocation to include the use of Power Shift, Bike Patrol, Street Crimes and K-9 units to supplement zones as call loads and crime analysis data dictates; and the sharing of resources among Zone Lieutenants allows for adjustments to be made routinely.

### Dispatch:

On May 21, 2004, dispatch representatives discussed implementation and it was requested that a change in dispatch procedure be implemented; currently the Computer Aided Dispatch (CAD) system assigns officers to calls primarily by district, and then by north side/south side designations; under the new proposal CAD will assign officers to calls based on districts, and then by Zone designations; and dispatching by zone versus north side/south side will ensure more personalized service and a team-oriented approach to policing.

This change will require adjustments to software programming and any cost associated with programming changes will include personnel time and data entry requirements rather than financial expense.

For successful operation of the proposal, dispatch policies and procedures should be reviewed and altered accordingly.

### Implementation:

The plan should be phased in beginning mid-August 2004 and be fully implemented by September 2004.

Questions and discussion by Council Members involved whether there are plans to construct stations/precincts in each of the zones, how were the zones drawn, assurance to citizens that response times will be improved, will the proposed policy represent an improvement in the School Resource Officer program, how will efficiencies be measured; what level of conflict will allow a police officer to cross zones, coordination of response to calls for service with other Roanoke Valley jurisdictions, challenges in recruiting/retaining police officers, and the time line for training a police officer from the time he or she is hired until the time they are placed in the field.

Council Members spoke in support of the proposed Geographic Policing policy and commended Chief Gaskins and his staff for the quality of their work.

In summary, the Mayor advised that the briefing received a positive response by Council; the presence of police officers on the scene in a geographic area on a consistent basis is a good idea which is appreciated by neighborhood organizations and citizens; and Council supports the efforts of the Police Department and requests periodic updates on progress and outcomes.

### POLICE DEPARTMENT: Police Building Phase II Briefing:

The City Manager advised that construction will start in the next seven to ten days on Phase II of the Police Building and it is appropriate at this time to brief Council on plans and logistics. She explained that a previous Council, five to six years ago, agreed to construct a Police building in two phases; and in January 2000 bids were received for Phase I which has been completed for about three years, and, at the time that Council awarded the contract for Phase I construction, architectural/engineering was authorized for Phase II. She stated that within the next year the City should have a fully renovated and new Police Building which will be first time in the history of the Police Department that it will occupy a building that was specifically constructed, designed and renovated for police use.

Brenda Landes, Internal Project Manager, advised that Phase I is located on Campbell Avenue, S. W., the facility was constructed and completed in September 2001 by Thor, Inc., at approximately \$6 million, consisting of approximately 37,300 square feet, on three floors and includes primarily the public functions of the Police Department.

She advised that Phase II design began approximately one year ago, and the prime architectural consultant is the local firm of Ripley, Rodriguez, Mattox and Motley working in conjunction with the internationally recognized firm of McClaren, Wilson, Lawrie from Phoenix, Arizona. She further advised that design of the building was conceived with considerable employee interaction and workshops; inasmuch as a decision was made last year not to procure additional property, Phase II was designed to fit within the property boundaries from the alley to the west property line; and the new addition is approximately 29,100 square feet bringing the total building to 66,400 square feet; and using project diagrams, she reviewed the layout of floors one through four. She explained that three temporary construction easements have been obtained by the City and one partial alley vacation; a temporary 30 foot construction easement to the west which is a part of Campbell Place, LLC, was obtained in order to construct the west wall which goes directly to the property line; two easements were obtained to the south, one of which is property that belongs to WSLs and the other belongs to the American Red Cross which will be used for the temporary placement of a crane, staging and storage of building materials; a final easement is needed for construction of ingress and egress due to the short turning radius in and out of the alley; and permanent vacation of a 29 square foot portion of the alley to the north side that does not impact travel nor the paved area which is needed in order to place a dumpster pad. In exchange for the easements, she stated that the City will provide WSLs with 20 parking spaces in the Church Avenue Parking Garage for the duration of construction; the American Red Cross lost seven parking spaces and arrangements have been made for parking on Luck Avenue in areas which are designated for Police and Sheriff vehicles located directly across the street from the American Red Cross and Campbell Place lost 13 parking spaces which are now available at the YMCA parking area; in addition, she advised that the City will resurface the parking lots upon completion of construction of the Police Building.

She advised that bids for Phase II were received on June 15 and the low bid of \$5,035,200.00 was submitted by J. M Turner Construction Co., Inc., a notice to proceed with construction will be given within the next seven days, with completion of the building in 14 - 16 months. She stated that the City is also in the process of retaining an interior design firm to assist with furnishings and equipment for the building and a recommendation will be submitted to Council within the next two weeks.

Question was raised with regard to the timeline for completion of Phase II of the Police Building and completion of the parking garage; whereupon, the City Manager advised that Council authorized funding in the current capital budget for land acquisition and architectural/engineering work for the parking garage, funds will be requested for appropriation in fiscal year 2005-2006 for actual construction of the garage which is estimated to take approximately 12 months, and the Police Building Phase II project will take 14 - 16 months for completion, so there will be a period of time when the garage will not be

available and other parking will be needed in the interim. She called attention to additional surface parking on Salem Avenue as a result of donation of the Zimmerman property in exchange for the demolition and vehicles will continue to be parked under the current Courthouse until construction is completed. She advised that Council is left with making a decision on the current Police Building, and the initial recommendation of City staff is to raze the building which will add additional surface parking on an interim basis. She stated that it is her understanding that some Members of Council have been approached by the judiciary regarding the City's plans for renovation and expansion of the Courthouse.

The City Manager reminded Council that the parking garage is not being constructed exclusively for use by the Police Department, but does anticipate a number of public users; there have been discussions with The Roanoke Times about the availability of its property in exchange for parking spaces, and during construction of the building, there will be some temporary displacement of employees, irrespective of the manner in which the City receives title to or ownership of the property.

In response to a question, the City Manager advised that there are currently no plans for the Courts Building. She referred to a document that was prepared in the mid 1990's that referenced on a priority basis which buildings should be looked at for expansion, the first priority was the Police Building which will be completed with Phase II; the second was Human Services, both social services and health, and while Social Services has moved to space in the Civic Mall, there remains the challenge of getting the State to agree to increased costs associated with moving the Health Department building; and the third priority was the Courthouse Building. She advised that it is preferable to get the Police Building underway before engaging in discussions about the Courthouse; there have been discussions with regard to completing the Library Study, which should occur before the end of the calendar year, in order to receive a recommendation on the future location of the Law Library, i.e.: whether it should remain in the Courthouse or move to a renovated or new main library, which decision will have an impact on how much renovation and what type of courthouse expansion, if any, would be needed. She advised that City staff is looking at the feasibility of moving the probation staff in the current Police Building and it will most likely be at least another year before a plan/cost is in place.

The City Manager explained that capital projects are currently budgeted in a different manner; rather than requesting all of the funds in one capital year for a specific capital project, starting with the current year, projects are broken down into portions that can be accomplished within a certain period of time because the perception by the community is that when the full amount of a project is appropriated in any one year, the project will be constructed very quickly, when in reality, the project still needs to go through decisions on



where to locate, land acquisition, architectural and engineering needs and final construction. She advised that the City administration has not been approached by the judiciary about Courthouse renovation/expansion needs.

The Mayor left the meeting at 10:30 a.m.

UTILITIES: Utility Cut Briefing:

George C. Snead, Jr., Assistant City Manager for Operations, referred to a previous Council briefing in regard to an action plan involving Standards for Utility Cuts. He advised that Roanoke's customers are not satisfied with the rideability of Roanoke's streets, and the City's Comprehensive Plan addressed the need for more quality and rideable streets; City staff has engaged virtually all parties currently responsible for work in the City's rights-of-way. To solicit their input on the draft policy, the proposed standards have been reviewed on at least two occasions of revised drafts, City staff has reviewed new technology, one of the major utility companies has purchased a new piece of equipment for City's review, and staff has been open to information on new approaches. He stated that the goal of the new standards is to get patches in pavement to a one quarter inch tolerance level which is the same standard that is enforced by the Virginia Department of Transportation.

Robert K. Bengtson, Director, Public Works, presented details of the proposed utility cut standards, including examples of excavation cuts, color coding, desired outcomes and failed utility cuts.

He advised that the purpose of the proposed policy is to address Council's desire to improve the ride quality, appearance and safety of Roanoke's street system and to support the goal of the Vision 2001 Comprehensive Plan for a quality system of streets and neighborhoods. By way of background information, he further advised that all work within the public street right-of-way requires a street opening permit; City crews are currently exempt from permits, but are required to follow standards; a permit costs \$36.00 and authority to regulate work in public streets is set forth in Chapter 30, Code of the City of Roanoke (1979), as amended; and approximately 2000 permits are issued each year to the following utility companies: American Electric Power, Roanoke Gas Company, Verizon, Cox Communications, Adelphia, KMC and the Western Virginia Water Authority.

Mr. Bengtson reviewed existing problems such as no written policy or standards, quality of repairs to pavement, timeliness of repairs, coordination of utility work with the City of Roanoke Paving Program, and warranty of repairs. He stated that meetings have been held with utility operators and utility contractors and City staff has listened to concerns and tried to modify the City's proposed standards. He reviewed key concerns of utility providers, i.e.: increased cost of repairs to the utility and ultimately to the consumer,

certification of backfill compaction, requirement to mill and overlay, types of permitted materials and dimensional tolerance for repairs. He also reviewed key modifications to excavation standards, i.e.: increased types of material permitted as backfill, increased options for achieving quality compaction without expensive certification, modified pavement patching detail, improved the City's paving program forecast, and maintained one-fourth inch tolerance for repairs

With regard to pavement restoration, Mr. Bengtson advised that the main areas of concern are appearance, rideability and restoration of the pavement as nearly as possible to its original condition, criteria for mill and overlay (longitudinal installations - mill and leave a full lane width) and service materials - "window cuts" (mill and overlay not required for cuts less than 30 square feet). He noted that coordination with the City's Annual Street Paving Program will involve publishing paving schedules two years in advance, and utilities can avoid the expense of milling and repaving by coordinating their work with the City's paving program. He stated that warranty inspection will include a one year warranty on repairs, inspection at 11 months, written follow up of defective repairs (use of database) and the City will repair the cuts if the contractor fails to respond.

Mr. Bengston noted that the next steps include implementation of the new standards as a pilot program beginning in October, 2004; consideration and adoption by Council in September 2004 of the new standards, with a sunset clause in order to allow all parties to gain a year of experience, and continue frequent communications with utilities during the pilot program, with revisions and final implementation to occur in October 2005. He stated that the permit fee is currently \$36.00 and is proposed to increase to \$50.00.

The City Manager advised that City staff will submit an ordinance for consideration by Council in September, along with a request for fee increase, and final implementation of the program will occur in October 2005. She stated that although it may be seen as a pilot versus a permanent program at this point, the expectation is that the fee will be enacted and there will be minor tweaking of the policy after a year of experience given the changes that staff has already agreed to.

Council Member Cutler inquired about the feasibility of recognizing the work of utility companies by offering incentives, rewards or recognition for a job well done and creating a sense of public/private partnership for smooth streets which would remove some of the negativity by utility companies about the new policy. Mr. Snead responded that during discussions with Roanoke Gas Company and AEP, the issue of the City projecting its paving needs for the next 24 or 36 months was seen as a reward because of the Gas Company's major line restoration program, which, if coordinated with the City's paving program, will be a win/win situation for both parties.

Vice-Mayor Fitzpatrick inquired about the need for a sunset clause on a pilot project when the assumption is that the program will continue after one year, with minor tweaking; whereupon, Mr. Snead advised that City staff worked with utility companies and private contractors, realizing that there may be some issues that staff did not completely understand, and the purpose of a sunset clause is to ensure all parties that if a portion of the policy needs to be revised, the City is willing to work with them.

In response, Vice-Mayor Fitzpatrick advised that the implication is that if enough concerns are raised, the City might abandon the policy which is not the intent of Council; therefore, he asked that the City Manager further review the sunset provision.

The City Manager advised that utility companies are performing today to the standard that was proposed to Council; a major concern of staff when the policy was proposed over a year ago was that the City of Roanoke, as an organization, would be required to adhere to the standards; 800 of the 2000 utility permits will be made by the City's own utility company and if the City is serious about the appearance and rideability of its streets, the City must be willing to pay the price and look at new and different ways to accomplish its goal. She stated that if the Council is comfortable with moving forward, the pilot process will be eliminated with the understanding that if there are problems on either the City side or the business/contractor/utility company side, staff will come back to Council with the necessary revisions, and there may be a need for some negotiation with the utility companies on the language of the proposed policy.

The Mayor returned to the meeting at 11:20 a.m.

#### REFUSE COLLECTION RECYCLING: Solid Waste Management Plan Briefing:

The City Manager advised that on Monday, August 16, 2004, Council will be requested to endorse the submission of the City's Solid Waste Management Plan to the State, which is a State requirement for development and adoption of the plan on a regular basis; whereupon, she called upon Frank Decker, III, Manager of Solid Waste, to present the briefing.

Mr. Decker advised that the Plan is mandated by the Virginia Department of Environmental Quality; and the City of Roanoke was advised approximately one year ago that it is required to update the Plan and a consultant was hired. He stated that the last revision occurred in 1991, a meeting was held with the City Planning Commission last week and, as a result of the meeting, City staff will work with the Planning Commission not only on the plan, but on other

points that were raised by the City Planning Commission. He called on Lynn Croy, representing Draper Aden Associates, Engineering, Surveying, Environmental Services, to present a summary of the results of the consultant's report.

Ms. Croy advised that:

The City of Roanoke's Solid Waste Management Plan was prepared in accordance with the Virginia Waste Management Board's Regulations for Solid Waste Management Planning.

The regulations were promulgated pursuant to the Code of Virginia which authorized the Virginia Waste Management Board to promulgate and enforce such regulations as may be necessary to carry out its duties and power and the intent of the Virginia Waste Management Act and Federal Acts.

The purpose of the regulations is to:

Establish minimum solid waste management standards and planning requirements for protection of public health, public safety, the environment and natural resources throughout the Commonwealth of Virginia.

Require the development of a comprehensive and integrated solid waste management plan that addresses all components of the solid waste hierarchy established by the United States Environmental Protection Agency as embraced by the Commonwealth of Virginia, as follows:

- source reduction (most desirable activity)
- reuse
- recycling
- resource recovery (waste-to-energy)
- incineration
- land filling (least desirable activity)

Promote local and regional planning that provides for environmentally sound and compatible solid waste management with the most effective and efficient use of available resources

Establish procedures and rules for designation of regional boundaries for solid waste management plans

Establish state, local government, or regional responsibility for meeting and maintaining the minimum recycling rates of 25 per cent

Establish the requirement to withhold permits for failure to comply with the regulations

Provide a method to request reasonable variance or exemptions from the regulations

Provide for reporting an assessment of solid waste management in the Commonwealth of Virginia

The planning area for the solid waste management plan is the City of Roanoke which represents a single-entity region for the purpose of filing and administering the plan and for its implementation.

The planning period for the solid waste management plan is 20 years from 2004 – 2024.

On July 8, 1991, when the original City of Roanoke Solid Waste Management Plan was submitted to Council for adoption, the Chair of the Planning Commission outlined the following key waste management needs for the City of Roanoke at that time:

To maximize landfill life expectancy through a comprehensive solid waste management program that focuses on source reduction, reuse and recycling.

To educate both the public and private sectors on the importance and benefits of recycling, source reduction and reuse and how comprehensive solid waste management will protect the environment and reduce waste transport and disposal costs.

To continuously explore the market for recyclable materials in order to find the most cost-effective means for recycling certain materials and to continuously search for effective means of managing other solid waste.

To make solid waste management as financially feasible as possible for the City and its residents.

The City Planning Commission previously approved the plan on June 5, 1991, and the plan was approved by Council on July 8, 1991; and since 1991, the City has worked diligently to address the needs.

A table was provided summarizing the 1991 implementation strategies developed during Plan preparation and a status report on implementation of strategies is attached to the report. (See table on file in the City Clerk's Office.)

There have been many changes in the City's solid waste management program since 1991; City-wide curbside recycling has been implemented, waste disposal has moved to the Tinker Creek Transfer Station and Smith Gap Landfill, and weekly brush collection was initiated; the City is now a member of the Roanoke Valley Resource Authority with membership established on December 3, 1991, and an active participant in the Clean Valley Council; and annual business reporting has been established and for 2003 a recycling rate of 51.7 per cent was reported to the Department of Environmental Quality.

A brief description of the City's current solid waste program is as follows: the City's solid waste collection, disposal, and recycling programs fall under the umbrella of the City's Public Works Department, Solid Waste Management Division; in the year 2000, the City started a major overhaul of its program by implementing more automation and more efficient routes, as well as expanding the recycling program; and the solid waste management systems consist of the following components:

**Solid Waste Collection** – The City provides collection to its residential and central business district sectors; it collects from approximately 42,000 households and some small businesses integrated into the residential collection routes and 200+ businesses in the CBD; the remaining commercial/business waste is collected by private sector haulers; the City also provides curbside bulk collection which includes bulky items like

furniture, white goods and brush; the majority of the residential waste is collected by the City at the curbside with automated collection vehicles; residents are provided with a 96 gallon cart free of charge; some back alley and side yard collection is still conducted but on a limited basis; citizens are not charged for this service as it is paid for out of the General Fund; businesses in the Central Business District are charged from \$60.00 to \$100.00 per month depending on the type of business; the City also has 28 dumpster locations serving various City departments, located at such places as City parks, fire stations, Victory Stadium, the zoo and other municipal buildings and these sites are currently serviced through a contract with Waste Management, Inc.

Recycling – the City provides curbside collection of recyclables to its residents and businesses in the CBD; each household receives two green recycling bins, which are recorded and registered to the address; each week one of the two containers is collected on the same day as trash collection; one week is “Bottles and Cans” week and on this week the City collects clear glass bottles, aluminum and steel cans and #1 and #2 plastics; as of July 1, 2004, the City had to drop collection of green and brown glass although residents can still take these materials separated directly to the drop off center at Cycle Systems, Inc.; the next week is “paper” week and on this week, the City collects office paper, junk mail, magazines, newspapers, chipboard boxes and corrugated boxes; and commercial recycling is encouraged and is handled by the City in the CBD and by the private sector elsewhere.

City government facilities also recycle; the in-house program started with the collection of bottles and cans and paper collection in City Hall and within several months the pilot program was expanded to other facilities; and today all City buildings have a paper recycling program and some have both a paper and bottles/cans program.

The City reported a recycling rate of 51.7 per cent for calendar year 2003, with a total tonnage of recyclables, including those from the commercial sector of 54,894 tons, of which 16,145 tons were road millings, and

18,250 tons were miscellaneous metals; the curbside collection program reported collection of 2,875 tons in fiscal year 2004 which amounted to \$95,713.00 in avoidance costs (i.e. the difference between the potential cost to landfill the material minus the cost of recycling); the materials collected in the curbside collection program are delivered to Cycle Systems, Inc., for processing; at this time, the City pays \$5.00 per ton for the handling of mixed paper and \$40.00 per ton for the handling of the commingled bottles and cans; Cycle System's contract runs out on July 30, 2004, and the City is currently in the process of bidding those services.

Cycle Systems, Inc., started as a scrap metal dealer in 1916 and now operates five facilities in central and southwest Virginia in Roanoke, Lynchburg, Waynesboro, Harrisonburg and Martinsville; the company considers the Roanoke recycling facility to be one of the most advanced facilities in the Mid-Atlantic region, processing thousands of tons of material each month; the Roanoke facility located at 2580 Broadway, S. W., has a community recycling station; proceeds collected from this station are donated to the Clean Valley Council; materials accepted at the recycling station include cardboard, newspaper, mixed paper, office paper, steel cans and aluminum cans; Cycle Systems, Inc., also operates a buy back center for citizens who wish to receive compensation for their materials; and aluminum cans are currently bringing from \$.36 to \$.40 per pound.

The Roanoke Valley Resource Authority also operates a drop off collection center at the Tinker Creek Transfer Station, accepting newspaper, clear glass and metal cans (aluminum/steel); and the RVRA also accepts white goods and other scrap metal and all types of batteries for recycling.

Disposal – The waste collected in the City by the City is taken to the Roanoke Valley Resource Authority Tinker Creek Transfer Station where it is loaded onto rail cars and hauled to the Smith Gap landfill, located in Roanoke County; the transfer station was permitted in 1992 and the landfill permitted in 1993; waste collected in the City by private commercial haulers, or



handled directly by the business or industrial generator, is generally taken to the same transfer station; however, because the City cannot control the flow of its waste, some of the waste is more than likely taken to the City of Salem transfer station and transported to the Waste Management facility in Amelia County, Virginia, or taken to the BFI transfer station and transported to the Allied Waste Landfill in Brunswick County; and tonnage lost to the Salem or BFI facilities is not tracked by jurisdiction.

The Tinker Creek transfer station handled a total tonnage of 159,231 tons in fiscal year 2004; this tonnage includes waste delivered by the City of Roanoke, Roanoke County, the Town of Vinton, and various commercial collection companies and private businesses; the Authority does not track the tonnage from the commercial collection companies or the private sector by location of origin; thus, the tonnage from the commercial and private sector generated within the City and delivered to the Authority is not known; according to the Authority's records, for fiscal year 2004, the City and its residents delivered 54,349 tons to the facility representing approximately 34 per cent of the total tonnage run through the facility and delivered to the landfill; and this tonnage would represent the residential tonnage collected by the City, the Central Business District tonnage collected by the City, some commercial collection outside the Central Business District which can be handled by the residential collection and tonnage delivered to the Transfer Station directly by the citizens of the City.

According to the DEQ , the Smith Gap landfill for 2003 has approximately 34.8 years of life remaining in the existing permitted area at an annual disposal rate of 255,200 cubic yards per year; however, the overall life expectancy of the landfill, including expansion areas, is 100+ years; at this time, approximately 50 acres have been developed; and the Authority's annual budget for fiscal year 2004 was \$8,091,969.00.

Composting/Mulching: Leaves and brush are collected by the City; the City collects the loose leaves via leaf vac during the fall and takes them to a processing facility at Rockydale Quarry where they are processed

into a soil amendment; bagged leaves are also collected by the City; the leaves will be debagged and also taken to the quarry for the first time in 2004; prior to this year, the bagged leaves were handled elsewhere but this property is no longer available for use; and the City collects brush weekly and takes it to the RVRA transfer station where it is ground into mulch.

Primary goals developed by the City for the Solid Waste Management Program under the new plan are summarized as follows; the existing system is well developed and serves the community well, thus, the goals do not reflect new dramatic programs, but continuous improvements to the existing system with a strong emphasis on source reduction, reuse and recycling.

#### Collection:

Expand educational efforts to collection, to provide information to citizens on container placement, acceptable and unacceptable waste, and scheduling.

Continue to automate collection to the maximum degree possible with existing financing.

Evaluate the Central Business District for improvements to the collection system.

#### Recycling:

Continue to live the Vision 2001-2020 mission which states that "Roanoke will be known as a City that recycles all recyclable material where feasible."

Continue to aggressively promote source reduction and recycling as a way to save costs and to increase landfill life expectancy.

Encourage better participation by businesses in reporting their source reduction and recycling efforts annually.

Consider the construction and operation of a regional clean materials recovery facility (MRF), possibly operated by the RVRA or other regional entity; a MRF

would allow the City to automate recycling and potentially reduce collection to twice per month and could improve recycling markets for the region and provide flexibility.

#### Composting/Mulching:

Consider partnering with the Western Virginia Water Authority to develop a biosolids/yard waste composting program producing a marketable product. Continue to support the mulching program operated by the RVRA.

#### Disposal:

Continue to promote source reduction and recycling as a means to increase the life expectancy of the facility. Continue to support the operations of the transfer station and landfill through active participation in the RVRA.

#### Summary:

In conjunction with its membership in the Roanoke Valley Resource Authority, and its affiliation with Cycle Systems and its support of the Clean Valley Council, the City has established one of the more comprehensive and effective integrated solid waste management programs in the Commonwealth of Virginia; waste reduction, reuse, recycling, and disposal programs have been abolished that exceed current regulatory mandates; for instance, the City conducts door-to-door curbside recycling, has entered into a long-term membership in the Roanoke Valley Resource Authority for disposal in a subtitle D compliant landfill facility, and participates in a successful year waste mulching program sponsored by the RVRA, a leaf composting program developed by Rockydale Quarry, and in a Household Hazardous Waste Collection Day sponsored by the Clean Valley Council.

The City's recycling program has grown significantly over the past decade, and is currently attaining a 51.7 per cent recycling rate as reported to DEQ for 2003; the recycling rate is broad-based, meaning that it is

tolerant of fluctuations in any one component of the program and can absorb changes without threatening the City's ability to meet the 25 per cent mandate; the City includes a significant amount of non-traditional materials in its recycling program; if these materials are subtracted, the City still meets a recycling rate of 28 per cent for 2003; the current recycling program, if maintained at its current level of service and success (assuming that the quantity of recyclables collected and marketed does not increase), would still result in a 47.8 per cent recycling rate in 2024, based on the current projections of population and waste generation rates.

Disposal activities over the planning period and beyond are secure with the Roanoke Valley Resource Authority and collection has become more efficient with the advent of automation; and it would appear that the City can focus its efforts on education promoting reduction in the waste stream and encouraging more recycling.

There was discussion in regard to whether or not the life of Smith Gap Landfill can be extended by baling as opposed to dumping loose garbage; whereupon, Ms. Croy advised that the old school of thought was that baling would add life to a landfill. She further advised that since landfills have been in operation for 15 - 20 years, it has been discovered that the sheer volume of waste itself will compress the waste over time; and the next generation of landfills will become bio-reactors, whereby instead of keeping water out and keeping the landfill dry, water will be recycled through, turning the facility into something like a pressure cooker which cooks and churns and pops out methane gas that causes waste to decompose rather quickly, thus reducing volume.

There was discussion in regard to green and brown glass which no longer will be recycled by the City, and constituted 35-40 per cent of recycled material, crushing colored glass for road materials, and recycling materials from razed buildings.

The City Manager advised that Council will hold a public hearing on the proposed Solid Waste Management Plan on Monday, August 16, 2004, at 7:00 p.m., at which time Council will be requested to authorize submittal of the Plan to the Virginia Department of Environmental Quality.

ACTS OF ACKNOWLEDGMENT-CITY EMPLOYEES: Volunteer Program briefing:

The City Manager introduced Angela Gentry, Volunteer Coordinator, which is a new position that was established in fiscal year 2004 to coordinate a volunteer program for the City of Roanoke.

Ms. Gentry advised that the Municipal Volunteer Program is a community outreach program which is designed to encourage citizens to participate in local government; the mission of the program is to provide the highest quality of service to Roanoke's citizens and to the Roanoke Valley by engaging the community in civic involvement, thus creating a more enlightened and active citizenry; the role of Human Resources is to provide a central office location for volunteers, to promote the volunteer program, to recruit, screen, interview and refer volunteers to City departments, to maintain volunteer files, to provide an orientation to new volunteers, to serve as a liaison between volunteers and staff, to coordinate volunteer recognition and awards, to assess the performance of the program, to generate reporting to provide departments with feedback, to assist and support volunteers and City departments and to keep volunteers and staff informed.

She stated that the United States is a nation of volunteers, i.e.: 56 per cent of most Americans are presently volunteers, 20 per cent are not currently serving and 23 per cent have never served as an adult, 63.8 million people volunteered in some capacity which is up from 59.8 million, and the volunteer rate grew to 28.8 per cent, or up from 27.4 per cent, a median of 52 hours were dedicated to volunteer activities for 2003, an estimated 3.9 million adults volunteered over 15.5 billion hours in 2000, for a weekly average of 3.6 hours per week served per volunteer; and the 2003 national average hourly value of volunteer time is \$17.19, effective March 2004 to February 2005.

Ms. Gentry advised that citizens should be involved as volunteers to expand City services, to strengthen programs and services, to enhance rapport between the City, citizens and businesses, and to bring innovative new ideas and advocacy; and citizens can gain the following from volunteering their services: learn about local government, stay active after retirement, build teamwork, fulfill a sense of responsibility, expand knowledge, share talents and abilities, explore new areas of interest, learn and develop new skills, meet new and interesting people, gain new experiences, help shape the community's future, and have fun.

She explained that in order to become a City volunteer, a citizen is required to complete a volunteer application, participate in an interview process followed by volunteer placement; currently 31 individuals and two groups participate in the City's Volunteer Program; and 16 City departments have submitted requests for volunteers, as follows:

25 participated in the Easter Egg Hunt  
 7 in the fitness celebration  
 1 in the City Treasurer's Office  
 1 at the Fire/EMS Regional Training Center  
 33 at the Youth Forum  
 1 in the Downtown Library  
 1 at the Mill Mountain Discovery Center  
 16 at the Building New Partnerships Conference  
 37 in the Roanoke River Clean-Up  
 1 in Economic Development  
 4 in the office of Commissioner of the Revenue

Ms. Gentry advised that for the period March 1 to July 31, 2004, 127 volunteers donated 631.25 hours at an estimated savings of \$12,637.63.

There was discussion in regard to rewarding volunteers for their service; liability coverage, recognizing volunteers in connection with the City's Annual Volunteer Reception which is hosted by the Mayor and Members of Council, background screening in certain instances, and an opportunity for volunteers to indicate on the application if they are interested in serving on a City Council appointed authority, board, commission or committee

The Mayor expressed appreciation for the briefing and wished Ms. Gentry success in her recruitment of volunteers for the City.

**STADIUM-COMMITTEES:** The Mayor advised that the Members of Council will engage in a working lunch to discuss the proposed charge for the Stadium Study Committee. He called attention to the Council's work session which was held on Tuesday, July 6, 2004, at which time Council Members agreed to provide him their input regarding the charge to the Committee; however, having received no response prior to today's meeting, he presented the following proposed charge to the Committee in an attempt to capture the sentiment of Council's previous discussion:

"The Stadium Study Committee is charged with assessing the athletic facility needs of our City. Specifically, the Committee shall review the feasibility of renovating Victory Stadium. The Committee shall also have the latitude to review other possible athletic facility venues and locations as it deems appropriate. The Committee shall report its recommendation(s) regarding the renovation of Victory Stadium and/or other athletic facilities to the City Council within nine months of the Committee's appointment."

Council Member Wishneff presented the following proposal:

"The Committee shall review the feasibility of renovating Victory Stadium for use as an athletic facility and major events/music venue for events that need to accommodate larger crowds. The Committee shall also have the latitude to review other possible athletic facility venues, including an outdoor track and locations as it deems appropriate. The Committee shall interview, recommend and negotiate a contract with consultants needed to perform its duties. The Committee shall supervise the work of the consultant. The Committee shall report its recommendation(s) regarding the renovation of Victory Stadium and/or other athletic facilities to the City Council within nine months of the Committee's appointment."

An inquiry was made in regard to marketing the Orange Avenue site; whereupon, the Mayor advised that the site should be held in abeyance for the time being, in order to gain a consensus on a future municipal use.

Vice-Mayor Fitzpatrick advised that he has opposed the Orange Avenue/Williamson Road site for a new stadium/amphitheater because a quadrant of an interstate interchange should not be used for public purposes when the property is more valuable from a commercial development standpoint; on July 6, Council agreed to include the site in the proposed study, therefore, it would be premature to obtain market information while the Stadium Study Committee engages in its assignment; and the marketability issue will come into play when and if it is determined that the Orange Avenue/Williamson Road site has no athletic use. He stated that the purpose is not to review the feasibility of Victory Stadium, but to determine the needs of Roanoke's high schools and potential athletic events that might be drawn to the Roanoke area in order to be successful, therefore, to not look at the overall picture would be a mistake. He called attention to the need, first and foremost, to look at the structural condition of Victory Stadium, because no core drillings have been made of the stadium, and before the Stadium Study Committee can consider a renovation of Victory Stadium, the cost of renovating the Stadium should be known which will then give Council a better ability to know how to spend taxpayers' money. He stated that the athletic needs of the high schools and the potential venue for sports events should be separated from the entertainment component and there is a need to define Roanoke as an entertainment venue.

Council Member Cutler advised that the charge to the Stadium Study Committee should be a larger City-wide mission and purpose than just Victory Stadium. He spoke in support of comparing Victory Stadium to other potential

sites in regard to cost and accessibility and it is hoped that the Committee will bring forth several alternative sites as a part of its recommendation. He stated that any consulting contracts should be administered by City staff, with findings to be provided to the Committee. He concurred in a previous remark that ultimately the school system should be responsible for providing its own athletic facilities.

Council Member Lea advised that he served on the Roanoke City School Board for five years and during his first year he proposed discontinuation of the use of Victory Stadium by Roanoke's Schools, the Superintendent of Schools looked at both William Fleming and Patrick Henry High Schools as potential sites for a small stadium, there is not sufficient space at Patrick Henry because a minimum 3000 seat stadium would be needed and criticism has been expressed by residents of the surrounding area in regard to parking issues in the neighborhood. He further advised that William Fleming High School has the required space, but a stadium could not be constructed at William Fleming and not at Patrick Henry, therefore, the School Board decided not to construct high school stadiums and instead focused on what could be done for Victory Stadium. He stated that although it was a School Board issue, based on the advice of the School Superintendent, the concept was abandoned.

Council Member McDaniel advised that the charge to the Stadium Study Committee should be broad based and all of the options should be placed on the table for review by the Committee.

Following review of the proposals submitted by the Mayor and by Council Member Wishneff, the following charge to the Stadium Study Committee was proposed:

"The Stadium Study Committee is charged with assessing the athletic facility needs of our City. The Committee shall review the feasibility of renovating Victory Stadium for use as an athletic facility and venue for events that need to accommodate larger crowds. The Committee shall also review other possible athletic facility venues, including an outdoor track and locations as it deems appropriate. The Committee, with assistance of City staff, shall recommend consultants needed to perform its duties. The Committee shall supervise the work of the consultant. The Committee shall report its recommendation(s) regarding the renovation of Victory Stadium and/or other athletic facilities to the City Council within nine months of the Committee's appointment."



The Mayor advised that it has been brought to his attention that it is the decision of the School Board to include tracks at the two high schools, although the kind of tracks is not known.

The City Manager called attention to the need for Council to provide direction, and advised that when the City offered to identify a separate venue for a track, Superintendent Harris indicated that the schools would like to construct two smaller tracks at the two high schools. She also called attention to previous discussions with the Roanoke County Administrator and two different Administrators at Hollins University in regard to the feasibility of creating a regional track facility with the support of Hollins University, but the Superintendent of Schools indicated that the School Board was prepared to proceed with two tracks at the two high schools, with the intent of requesting additional funds from the City.

Council Member Dowe advised that if Victory Stadium is named specifically in the charge to the Stadium Study Committee, other potential sites should also be specifically named.

Vice-Mayor Fitzpatrick moved that the following charge to the Stadium Study Committee be adopted:

"The Stadium Study Committee is charged with assessing the athletic facility needs of our City. The Committee shall review the feasibility of renovating Victory Stadium for use as an athletic facility and venue for events that need to accommodate larger crowds. The Committee shall also review other possible athletic facility venues, including an outdoor track and locations as it deems appropriate. The Committee, with assistance of City staff, shall recommend consultants needed to perform its duties. The Committee shall supervise the work of the consultant. The Committee shall report its recommendation(s) regarding the renovation of Victory Stadium and/or other athletic facilities to the City Council within nine months of the Committee's appointment."

The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Wishneff, Cutler, Dowe, McDaniel and Mayor Harris-----6.

NAYS: Council Member Lea-----1.

(Mr. Lea's vote was later changed.)

Following discussion, Council Member Lea advised that inasmuch as the Mayor had clarified a misunderstanding, he would like to change his vote on the motion from no to yes.

Without objection by Council, the Mayor requested that the Clerk change Council Member Lea's no vote to a yes vote; whereupon, the motion was unanimously adopted.

The Mayor advised that he will work with the City Manager and the City Clerk with regard to providing clerical support to the Stadium Study Committee.

Council Member Wishneff requested that the record reflect that he also has concerns with regard to neighborhood issues associated with two smaller stadiums at the two high schools, but in a spirit of cooperation, he will support the motion.

There being no further business, at 1:10 p.m., the Mayor declared the Council meeting in recess and advised that Council will reconvene at 1:15 p.m., in the Council's Conference Room, fourth floor, Noel C. Taylor Municipal Building, for a closed session which was previously requested by the City Attorney, and the regular meeting of Council will reconvene at 2:00 p.m., in the Council Chamber.

At 2:00 p.m., on Monday, August 2, 2004, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, Brian J. Wishneff and Mayor C. Nelson Harris-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by The Reverend Frank W. Feather, Pastor, Forest Park Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

DECEASED PERSONS: Council Member Dowe offered the following resolution memorializing the late Gordon Preston Davidson, Director of Community Services of the Blue Ridge Independent Living Center:

(#36798-080204) A RESOLUTION memorializing the late Gordon Preston Davidson, Director of Community Services of the Blue Ridge Independent Living Center.

(For full text of Resolution, see Resolution Book No. 69, page 51.)

Mr. Dowe moved the adoption of Resolution No. 36798-080204. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris -----7.

NAYS: None-----0.

The Mayor presented a ceremonial copy of the above referenced measure to Ms. Pat Davidson, representing the Davidson family.

ACTS OF ACKNOWLEDGEMENT-AUDITS/FINANCIAL REPORTS: The Mayor presented Certificates of Achievement to Jesse A. Hall, Director of Finance; Dawn L. Hope, Financial Systems Accountant; and Harold R. Harless, Jr., Retirement Plans Accountant, which were issued by the Government Finance Officers Association of the United States and Canada in recognition of the City of Roanoke's Comprehensive Annual Financial Report and the City's Pension Plan report. He commended employees of the Department of Finance upon receiving the awards which represent the highest form of recognition in the area of governmental accounting and financial reporting and their attainment represents a significant accomplishment by a government and its management.

ACTS OF ACKNOWLEDGEMENT-HOUSING/AUTHORITY: Edward Murphy and Earl Saunders, representing the Board of Directors, Rebuilding Together, advised that Rebuilding Together has rehabilitated 22 houses owned by elderly and disabled homeowners in the City of Roanoke. On behalf of the Board of Directors, they presented the City of Roanoke with a plaque in appreciation of the City's sponsorship.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Thursday, May 20, 2004, and Monday, June 7, 2004, were before the body.

Mr. Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

SPECIAL PERMITS: A communication from the City Manager requesting that Council schedule a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to authorization for encroachment into a public right-of-way at 16 Campbell Avenue, S. W., Official Tax No. 1011707, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-FIFTH PLANNING DISTRICT COMMISSION: A communication from R. Brian Townsend, Director, Planning, Building and Development, tendering his resignation as a member of the Roanoke Valley Alleghany Regional Commission, effective immediately, was before Council.

Mr. Fitzpatrick moved that Council accept the resignation and receive and file the communication. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-ROANOKE NEIGHBORHOOD ADVOCATES: A communication from John Renick, Secretary, advising of the resignation of Jesse Dodson as a member of the Roanoke Neighborhood Advocates, was before Council.

Mr. Fitzpatrick moved that Council accept the resignation and receive and file the communication. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

ZONING: The Annual Report of the Board of Zoning Appeals for fiscal year 2004, was before Council.

Mr. Fitzpatrick moved the Annual Report be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

ROANOKE CIVIC CENTER-PROCUREMENT CODE: A communication from the City Manager advising that on July 20, 2004, she approved an emergency award declaration to replace the theatricals and stage dimming system (i.e. "patch panel) at the Roanoke Civic Center Auditorium; and the following factors led to the request by staff and subsequent approval, by the City Manager, was before Council.

- The existing "patch panel" interconnects and controls the theatrical lighting fixtures (used on the stage) to the Auditorium's electrical power system.
- The panel incorporates patch codes, which are no longer available, that are used to connect and control (dim) various lighting circuits; the insulators on the plug ends of the cords wear out exposing the electrical wiring and creating a potential shock hazard to technicians who operate the panel.

- The problem first surfaced five–six years ago and was resolved at the time by shortening the length and rewiring the cords; and the problem has resurfaced, but the cords cannot be shortened any further.
- The panel needs to be replaced as soon as possible to eliminate a potential hazard.

It was further advised that pursuant to procurement regulations, the City is required to foster competition; to comply, staff solicited general (prime) contract bids for the project from six electrical contractors, each contractor having a staff of sufficient size to perform the work in a timely manner; in addition, given that the work associated with the new dimming equipment is specialized, four specialty subcontractors were invited to provide the work; all work will be completed by the end of September 2004, during the period when seating in the Auditorium is being replaced; and at the present time, the Auditorium is not in use and is not scheduled to be in use until the first week in October.

The City Manager pointed out that a meeting was held at the Auditorium on July 22, 2004, to distribute documents and to review the work; only one bid was received on July 28, in the amount of \$246,757.00, from Newcomb Electric Company., Inc.; other contractors invited to submit bids did not do so for different reasons, ranging from their current workload to requirements that the project be bonded; it is intended to award a contract for the amount indicated to eliminate a potential hazard and to have the work completed within the time frame indicated; and, as required by the City Charter, the communication is intended for information purposes only and no action by the Council is required.

Mr. Fitzpatrick moved that the communication be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

OATHS OF OFFICE–FIRE DEPARTMENT–COMMITTEES–ROANOKE ARTS COMMISSION–COURT COMMUNITY CORRECTIONS BOARD–YOUTH–PENSIONS–CABLE TELEVISION: The following reports of qualification were before Council:

Mark K. Cathey as a member of the Board of Fire Appeals for a term ending June 30, 2008.

Dennis R. Cronk as a member of the Virginia Western Community College, Board of Directors, to fill the unexpired term of Harriet S. Lewis, resigned, ending June 30, 2006.

Sherman P. Lea as a Council representative to the Roanoke Valley Regional Cable Television Committee.

George M. McMillan as a member of the Court Community Corrections Program Regional Community Criminal Justice Board for a term ending June 30, 2007.

Michael W. Hanks and Anthony Wallace for terms ending June 30, 2006; and Donna S. Johnson for a term ending June 30, 2008, as members of the City of Roanoke Pension Plan, Board of Trustees.

Mark C. McConnel as a member of the Roanoke Arts Commission for a term ending June 30, 2007.

Mr. Fitzpatrick moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

### REGULAR AGENDA

PUBLIC HEARINGS: None.

PETITIONS AND COMMUNICATIONS: None.

REPORTS OF OFFICERS:

CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

**PARKING FACILITIES:** The City Manager submitted a communication advising that the Church Avenue West Parking Study determined that there is a deficit in the parking supply in the downtown west area of approximately 500 spaces on a normal week day; the City's Capital Improvement Program includes \$7.2 million in future general obligation bonds for development of two new parking garages, each containing 250 - 300 spaces; on June 21, 2004, Council authorized the issuance of \$2.0 million in general obligation bonds for the project, with remaining funds to come from a future bond issue; Council also

authorized appropriation of \$600,000.00 in advance of bond issuance for the project; the garages will address the deficit of parking spaces; several sites with proximity to the downtown area were considered as possible locations, with two sites being selected that best meet the needs for the new garages; one garage will be located on Luck Avenue and the other at Campbell/Salem Avenues; authorization is needed to move forward with acquisition of the necessary property rights; and total acquisition costs for consideration and related expenses such as title reports, environmental inspections, and relocation are estimated to be \$1.2 million.

The City Manager recommended that she be authorized to acquire fee simple title to certain property, as more fully described in an attachment to the report, subject to acceptable environmental inspection and title report; and such property rights may be acquired by negotiation or eminent domain.

Mr. Cutler offered the following ordinance:

(#36799-080204) AN ORDINANCE providing for the acquisition of certain interests in property needed by the City for the Downtown West Parking Garages Project; providing for the City's acquisition of certain property rights by condemnation, under certain circumstances; authorizing the City to make motion for the award of a right of entry on the property for the purpose of commencing the project; all upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 69, page 53.)

Mr. Cutler moved the adoption of Ordinance No. 36799-080204. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

HEALTH DEPARTMENT-BLUE RIDGE COMMUNITY SERVICES: The City Manager submitted a communication advising that the 1998 General Assembly passed HB428 which amended and reenacted sections of the Code of Virginia relating to local roles and responsibilities for mental health, mental retardation, and substance abuse services; Section 37.1-194 of the Code of Virginia, 1950, as amended, requires every locality to establish a community service board to oversee the delivery of mental health, mental retardation and substance abuse services, and it is further required that the local governing body approve a Performance Contract; and the City of Roanoke has established Blue Ridge Behavioral Healthcare, pursuant to the above referenced statutory provision, as the Community Services Board.



It was further advised that Blue Ridge Behavioral Healthcare has submitted the Fiscal Year 2005 Community Services Performance Contract to ensure delivery of publicly funded services and support to citizens of the Commonwealth of Virginia with mental illness, mental retardation, or substance abuse; services are to be directly, or by contract, through the operating board of the Community Services Board; and Section 37.1-198B, Code of Virginia, 1950, as amended, requires all governing bodies for the localities served by the Community Services Board to approve the Community Services Performance Contract.

The City Manager recommended that Council adopt a measure approving execution of the Blue Ridge Behavioral Healthcare Fiscal Year 2005 Performance Contract and that the City Manager be authorized to execute any required documents to enter into the Performance Contract with the Blue Ridge Behavioral Healthcare Board.

Mr. Dowe offered the following resolution:

(#36800-080204) A RESOLUTION approving and authorizing the execution of the Blue Ridge Behavioral Healthcare FY 2005 Performance Contract, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, page 55.)

Mr. Dowe moved the adoption of Resolution No. 36800-080204. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

BUDGET-GRANTS-POLICE DEPARTMENT: The City Manager submitted a communication advising that the Virginia Department of Criminal Justice Services (DCJS) provides grant funding for development and improvement of criminal justice records systems; and the Criminal Justice Records System Improvement grant provides funds for automation of criminal justice systems, development of technology to improve and enhance services to victims, development of interfaces that facilitate exchange of information and assistance to localities in conversion to Incident Based Reporting (IBR) systems.

It was further advised that in December 2001, DCJS awarded the Roanoke Police Department \$165,400.00 to automate IBR Field Reporting and data entry, thereby ensuring quality current data availability to officers and investigators; and on June 21, 2004, DCJS awarded the Roanoke Police Department \$72,323.00 (\$18,081.00 of which must be a cash match from the City) to continue automation efforts for the IBR Field Reporting system.

It was explained that success of the program is dependent upon full transition of the Police Department and the Sheriff's Office to the same criminal justice records system; grant funds will be used to create a seamless interface of the two agencies and to allow for data sharing through the purchase of additional Police-Pak software licenses along with Jail-Pak and related start-up licenses, equipment, and training; and the required cash match expense of \$18,081.00 will be shared equally by the Police Department and the Sheriff's Office and is available in Police Department, Account No. 035-640-3302-2035, and Sheriff's Office, Account No. 001-024-3310-2074.

The City Manager recommended that Council accept the grant and that she be authorized to execute a Statement of Grant Award/Acceptance; and that Council appropriate \$54,242.00 from the Criminal Justice Record System Improvement Continuation Program and transfer \$9,041.00 from the Police Department, Account No. 035-640-3302-2035 (Federal Asset Forfeiture), and \$9,040.00 from the Sheriff's Office, Account No. 001-024-3310-2074 (Inmate Phone Commission), to Grant Fund, Account No. 035-640-3411, established by the Director of Finance as follows:

<u>Account</u>	<u>Object Code</u>	<u>Amount</u>
Fees for Professional Services	2010	\$ 3,828.00
Expendable Equipment	2035	2,000.00
Publications & Subscriptions	2040	<u>66,495.00</u>
Total		\$72,323.00

Mr. Dowe offered the following budget ordinance:

(#36801-080204) AN ORDINANCE to establish the Record System Improvement Grant, amending and reordaining certain sections of the 2004-2005 General and Grant Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, page 56.)

Mr. Dowe moved the adoption of Ordinance No. 36801-080204. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

Mr. Dowe offered the following resolution:

(#36802-080204) A RESOLUTION authorizing the acceptance of a Criminal Justice Records System Improvements Continuation Grant, Grant No. 05-A4486CR03, made to the City of Roanoke by the Commonwealth of Virginia Department of Criminal Justice Services and authorizing the execution by the City Manager of the conditions of the grant and other grant documents.

(For full text of Resolution, see Resolution Book No. 69, page 57.)

Mr. Dowe moved the adoption of Resolution No. 36802-080204. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

**BUDGET-HUMAN DEVELOPMENT:** The City Manager submitted a communication advising that the Comprehensive Services Act (CSA), which was established in 1993, provides residential and non-residential treatment services to troubled and at-risk youth and to their families through a collaborative system of state and local agencies, parents, and private sector providers; services include mandated foster care, certain special education services, and foster care prevention; and CSA also provides services to certain targeted non-mandated populations.

It was further advised that upon completion of the year end processing of transactions and various accounting entries, CSA expenditures totaled \$9,838,164.00 for fiscal year 2004; expenditures exceed the current CSA budget of \$9,500,000.00 by \$338,164.00; program revenue from cost recoveries will be \$106,038.00 higher than anticipated, and State revenue will be \$17,209.00 lower than anticipated, which results in the need for \$249,335.00 in additional local funds; additional funding is for mandated services for at-risk youth; and actual expenditures are higher than anticipated primarily because of the local match required for Medicaid eligible expenses.

The City Manager recommended that Council:

- Increase the General Fund Revenue estimate for CSA in the net amount of \$88,829.00 (an increase in revenues from charges for services of \$106,038.00 and a decrease in revenues from the Commonwealth of Virginia of \$17,209.00) and appropriate funding to expenditure accounts outlined below.
- Transfer funding in the amount of \$249,335.00 from the following Department of Social Service accounts:

Natural Gas (001-630-5311-2024) – \$28,090.00  
 Other Rental (001-630-5311-3075) – \$10,000.00  
 Expendable Equipment (001-630-5313-2035) – \$14,000.00  
 Supplemental Security Income (001-630-5313-3116) – \$55,000.00  
 ADC Foster Care (001-630-5314-3115) – \$78,000.00  
 Fees for Professional Services (001-630-5315-2010) – \$27,245.00  
 Other Rental (001-630-5316-3075) – \$17,000.00  
 Employee Programs (001-630-5318-2043) – \$20,000.00

- Appropriate funding in the amount of \$338,164.00 to the following accounts:

Medicaid Local Match (001-630-5410-3133) – \$200,078.00  
 Foster Care (001-630-5410-3191) – \$138,086.00

Mr. Fitzpatrick offered the following budget ordinance:

(#36803-080204) AN ORDINANCE to appropriate funding to the Comprehensive Services Act program for expenditures of troubled youth and their families and revise the revenue to be provided by the Department of Medical Assistance, amending and reordaining certain sections of the 2003-2004 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, page 58.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36803-080204. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: None.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR, VICE-MAYOR AND MEMBERS OF CITY COUNCIL:

ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES: Council Member Cutler commended Melinda Mayo, Communications Coordinator, author of an article in the *Virginia Town and City Magazine* entitled, "Roanoke Continues Tradition of Forging New Paths," which describes the City's progress that led to Roanoke's being selected as one of America's "most livable communities" by Partners for Livable Communities.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member Lea recognized former Council Member W. Alvin Hudson, Jr., who was recently appointed by the Governor of Virginia to serve on the State Board of Corrections.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL-SPORTS ACTIVITIES: Council Member Lea expressed appreciation to the Mayor, Council Member Wishneff and the City Manager for their attendance at the press conference for the annual kick-off of the Western Virginia Education Classic on Saturday, July 31, 2004, in Elmwood Park. He also expressed appreciation to Council Member Alfred T. Dowe, Jr., Director, of the Choir of Shiloh Baptist Church, who will present a gospel concert in conjunction with the event.

ACTS OF ACKNOWLEDGEMENT-CITY COUNCIL: Council Member McDaniel commended staff of the City's Housing and Neighborhood Services Department for the new Welcome Roanoke Program which began on July 1 and is designed to contact new homeowners in the City of Roanoke by providing them with a personalized greeting from City officials, information on local activities and information on how to access City services, etc. She advised that approximately 117 new homeowners have received the welcome package and welcome packages will be provided to the top 20 apartment owners in the area in an effort to reach occupants of rental properties.

**CITY COUNCIL-RAIL SERVICE:** Council Member Wishneff requested an update with regard to passenger rail service in the Roanoke area; whereupon, the City Manager advised that Dr. Robert Martinez, Senior Vice-President, Finance, Norfolk Southern, has agreed to serve as guest speaker at the Regional Leadership Summit which will be held on September 24, 2004, at 12:00 noon in Bedford, Virginia, at which time Dr. Martinez will provide an update on the intermodal transportation issue.

**CITY COUNCIL-NEWSPAPERS-BICYCLISTS:** Council Member Wishneff referred to an article written by Dan Kasey in a recent edition of *The Roanoke Times* in which he noted that if certain actions are taken by the City, the City of Roanoke could have a national quality dirt bike track; whereupon, he requested a response by the City Manager.

**CITY COUNCIL-CITY EMPLOYEES:** Council Member Wishneff expressed concern with regard to the City's application of the Family Leave Act, and requested a briefing at a future Council work session.

#### **HEARING OF CITIZENS UPON PUBLIC MATTERS:**

The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

**ARMORY/STADIUM:** The Reverend John Kepley, 2909 Morrison Street, S. E., advised that it has been over one year since 7,000+ citizens of the City of Roanoke signed a petition in favor of saving Victory Stadium and, for many, it has been a long and tedious year; however, it appears that some Members of City Council have not heard what the citizens of Roanoke have said; i.e. they want to save and to renovate Victory Stadium. He stated that the more than 7,000 people who signed the petition are good and reasonable people and they expect Council to do the good and reasonable thing which is to renovate Victory Stadium.

**POLICE DEPARTMENT-SCHOOLS:** Ms. Alice Hincker, 4024 South Lake Drive, S. W., spoke with regard to the proposed Geographic Policing Plan for the City of Roanoke Police Department. She stated that she attended the 9:00 a.m. Council briefing and left the meeting with numerous questions; however, her primary question is, if the Police Department is so concerned about expanding its community policing initiatives, why was the community not allowed to provide comment during planning discussions that have taken place biweekly since January. She advised that City officials would not discuss concerns of citizens with regard to potential negative affects of geographic policing on the School Resource Officer program; organizations that are concerned about the delivery of service in the schools requested that the School Resource Officer

program remain intact and be designated as a specialized unit, such as the K-9, or the proposed power shift units, as opposed to dividing the program between each of the zones that contain a school. She inquired if attendance zones will be redrawn to require that children will attend school in the same police zone in which they live. She stated that Police lieutenants are against placing the School Resource Officer program under the geographic policing system and other Police Departments that currently use geographic policing have advised against including School Resource Officers under geographic policing. She noted that a Sergeant in the School Resource Officer program is being punished for the role he played in bringing school safety issues to the attention of the community and with the impending onset of geographic policing, he has been permanently reassigned to the Delta Platoon which means that he will have no further involvement with the SRO program which he has supervised for many years. She stated that this retaliation against people who are bold enough to do the right thing must stop.

ARMORY/STADIUM-SCHOOLS: Mr. Chris Craft, 1501 East Gate Avenue, N. E., advised that School Resource Officer Butch Lewis should be reassigned to Patrick Henry High School where he is known by students and faculty and is familiar with the school campus.

He spoke in support of renovating Victory Stadium which has been a part of the Roanoke Valley for many years, and advised that a track facility could be constructed at one of the high schools and the field at Victory Stadium could be raised to alleviate flooding issues.

ARMORY/STADIUM: Ms. Estelle McCadden, 2128 Mercer Avenue, N. W., spoke in support of renovating Victory Stadium. She advised that Council should provide the Stadium Study Committee with the necessary information to complete its assignment and then allow the Committee to make its recommendation(s) without interference by Council. She stated that Council Members were elected to represent the citizens of the City of Roanoke, citizens should be provided with the appropriate information to form good and enlightened opinions, and Council should then base its decisions on the wishes of the majority of Roanoke citizen's.

ARMORY/STADIUM-UTILITY LINE SERVICES-SCHOOLS: Mr. Winfred Noel, 2743 North View Drive, S. W., advised that he attended the Council's 9:00 a.m. work session at which time the utility cut proposal was reviewed by Council. He spoke in support of the proposed policy; however, the one quarter inch tolerance provision is unrealistic and the problem rests in follow up by the City to inspect utility cuts after pavement has settled.

He advised that the topics that were initially on the table regarding the stadium issue are Orange Avenue or Victory Stadium and not high school tracks, high school facilities, athletic needs and entertainment, etc; therefore, the Stadium Study Committee should study only Victory Stadium versus Orange Avenue because all other topics have been studied and the citizens of Roanoke have let their voices be heard.

COMPLAINTS-TAXES-ARMORY/STADIUM: Mr. Bob Caudle, 4231 Belford Street, S. W., offered his service as a member of the Stadium Study Committee. He spoke in favor of resolving the stadium issue once and for all and advised that if appointed to the Committee, he would support a detailed study on the practicality of renovating Victory Stadium.

COMPLAINTS-TAXES-ARMORY/STADIUM: Mr. Robert Gravely, 729 Loudon Avenue, N. W., spoke with regard to the renovation of Victory Stadium, the manner in which taxpayers' money is spent, and the need to pay adequate wages to citizens in order to stimulate Roanoke's economy.

POLICE DEPARTMENT-SCHOOLS: Council Member Wishneff requested that the City Manager and the Chief of Police meet with the Acting Superintendent of Schools, school principals and key Parent-Teacher Associations to discuss the proposed Geographic Policing program; whereupon, the City Manager advised that a summit is scheduled to be held within the next two weeks with representatives of the Police Department and the School administration at which time the program will be presented in detail to all key administrative officials and Council will be provided with follow up information as a result of the summit.

CITY MANAGER COMMENTS: None.

The Mayor declared the Council meeting in recess at 2:55 p.m., for a Closed session.

The Council meeting reconvened at 4:25 p.m., in the City Council Chamber, with all Members of the Council in attendance, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Dowe and adopted by the following vote:



AYES: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

NAYS: None-----0.

COMMITTEES-FLOOD REDUCTION/CONTROL: The Mayor advised that the term of office of Kathy S. Hill as a member of the Flood Plain Committee expired on June 30, 2004; whereupon, he opened the floor for nominations to fill the vacancy.

Mr. Cutler placed in nomination the name of Kathy S. Hill.

There being no further nominations, Ms. Hill was reappointed as a member of the Flood Plain Committee for a term ending June 30, 2005, by the following vote:

FOR MS. HILL: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

COMMITTEES-PARKS AND RECREATION: The Mayor called attention to vacancies on the Parks and Recreation Advisory Board, created by the resignations of S. James Sikkema and Onzlee Ware, for terms ending March 31, 2005; whereupon, he opened the floor for nominations to fill the vacancies.

Mr. Cutler placed in nomination the names of Christene A. Montgomery and Sharon L. Stinnette.

There being no further nominations, Ms. Montgomery was appointed to fill the unexpired term of S. James Sikkema and Ms. Stinnette was appointed to fill the unexpired term of Onzlee Ware, as members of the Parks and Recreation Advisory Board, for terms ending March 31, 2005, by the following vote:

FOR MS. MONTGOMERY AND MS. STINETTE: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

COMMITTEES-FIFTH PLANNING DISTRICT COMMISSION: The Mayor advised there is a vacancy on the Roanoke Valley-Alleghany Regional Commission to fill the unexpired term of Ralph K. Smith, ending June 30, 2006; whereupon, he opened the floor for nominations to fill the vacancy.

Mr. Cutler placed in nomination the name of C. Nelson Harris.

There being no further nominations, Mr. Harris was appointed as a member of the Roanoke Valley-Alleghany Regional Commission, to fill the unexpired term of Ralph K. Smith, ending June 30, 2006, by the following vote:

FOR MR. HARRIS: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, and Dowe-----6.

(Mayor Harris abstained from voting.)

COMMITTEES-ARMORY/STADIUM: The Mayor opened the floor for nominations to the Stadium Study Committee; whereupon, Mr. Cutler placed in nomination the names of George C. Miller, Charles A. Price, Gwendolyn W. Mason, Gregory W. Feldmann, L. Thompson Hanes, Chad Van Hying, Marsha Combs, David B. Trinkle, Kermit E. Hale, Sherley E. Stuart, Jan P. Wilkins, and John H. Parrott.

There being no further nominations, Mr. Miller, Mr. Price, Ms. Mason, Mr. Feldmann, Mr. Hanes, Mr. Hying, Ms. Combs, Mr. Trinkle, Mr. Hale, Mr. Stuart, Mr. Wilkins and Mr. Parrott were appointed as members of the Stadium Study Committee by the following vote:

FOR MR. MILLER, MR. PRICE, MS. MASON, MR. FELDMANN, MR. HANES, MR. HYNING, MS. COMBS, MR. TRINKLE, MR. HALE, MR. STUART, MR. WILKINS AND MR. PARROTT: Council Members Fitzpatrick, Lea, McDaniel, Wishneff, Cutler, Dowe, and Mayor Harris-----7.

The Mayor announced that two additional members of the Stadium Study Committee will be appointed at the next regular meeting of Council on Monday, August 16, 2004, at 2:00 p.m.

There being no further business, the Mayor declared the meeting adjourned at 4:30 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker  
City Clerk

C. Nelson Harris  
Mayor

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